

I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

Senior Planner Jan Hubbell announced the following changes to the agenda:

1. Item IV., 900-1100 Las Positas Road (Veronica Meadows), has been continued to May 15, 2008, as earlier announced in the agenda.
2. Due to an applicant emergency, 3455 Marina Drive has been moved to the end of the agenda.

- B. Announcements and appeals.

Ms. Hubbell announced that Bettie Weiss, City Planner; and Steve Wiley, City Attorney, both received their 25 year service pins at City Council.

- C. Comments from members of the public pertaining to items not on this agenda.

Chair Myers opened the public hearing at 1:07 P.M. and, with no one wishing to speak, the hearing was closed.

II. CONTINUED ITEM:

The following item was continued from April 24, 2008 and heard out of order:

RECUSALS: To avoid any actual or perceived conflict of interest, Commissioner Charmaine Jacobs recused herself from hearing this item due to her husband working at the same law firm as the applicant's attorney.

ACTUAL TIME: 3:59 P.M.

APPLICATION OF MIKE SILVA, 3455 MARINA DRIVE, 047-022-004, A-1/SD-3 SINGLE-FAMILY RESIDENCE AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, 1 UNIT PER ACRE (MST2007-00221)

Revised proposal to construct a 5,390 square foot one-story single-family residence including a 574 square foot three-car attached garage. The project includes a swimming pool, patio, a 27 square foot half-bath structure, septic system, site walls, synthetic putting green, and landscaping. The lot has street frontage on Marina Drive to the north and Cliff Drive to the south. The vacant lot is reduced from 1.34 to 1.20 acres by a public right-of-way easement along Cliff Drive. The southern portion of the development is located within the Appealable Jurisdiction of the Coastal Zone.

The discretionary application required for this project is a Coastal Development Permit to allow the proposed development in the appealable jurisdiction of the Coastal Zone (SBMC § 28.44.050).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality guidelines Section 15303, (new construction of small structures).

Case Planner: Tony Boughman, Planning Technician

Email: tboughman@santabarbaraca.gov

Tony Boughman, Planning Technician, gave the Staff presentation.

Steve Amerikaner, Attorney, commented on the applicant's response to the Planning Commission's previous comments, including provision of a view corridor and noted that the City has no established standards and regulations to implement Local Coastal Plan policy 9.1 with regard to view corridors and view easements.

Mike Silva described how he revised his plans in response to the Planning Commission's comments.

Sam Maphis, Landscape Architect, answered Planning Commission's questions about the landscape plan and its attention to drought tolerance; water conserving irrigation; and the pool bathroom structure and pool equipment.

Chair Myers opened the public hearing at 4:28 P.M.

The following people spoke in support of the project:

1. Patricia Winkler opposes the view corridor restriction placed on the property when others do not have this restriction. Only nearby neighbors use equestrian easement; the public views the ocean from viewpoint at Cliff Drive.
2. Sandy Schoolfield stated the proposal meets requirements of what is allowable and is compatible with the neighborhood. The City has already provided a public viewpoint at Cliff Drive.
3. Jon Kechejian stated the project is below what is allowable and has tried to accommodate neighbors and takes views into account. New houses are larger than older houses and the size is appropriate to the neighborhood.

The following people spoke in opposition to the project or with concerns:

1. Michael Moore asked that the project stay consistent with the original subdivision of the area and felt that the project is still too large; the City is encouraging 85% Floor Area Ratio (FAR). The average neighborhood FAR is .07, whereas this project is at .10. Approving this size could set a precedent for other undeveloped lots.
2. Kitch Wilson agrees that the house is too big and looks for a house that is at 85% of the maximum guideline FAR. Objects to the landscaping; many of the plants will grow to exceed 20' and block public view corridor and asks that the landscape plan be reviewed.
3. Ronald Green, Braemar Homeowners Association, spoke on behalf of 30 petition signers, stating that the 3400 block of Marina Drive is an active equestrian and

pedestrian path with scenic public views and acknowledged by City Resolution 90-035. This project is not consistent with Local Coastal Plan Policy 9.1. The policy is not a guideline and should be enforced and maintained. Asked for view corridors on both sides of the property. Concerned with the height of vegetation in the view corridor. Asked for the length of the house to be reduced.

4. Don Santee stated that the FAR is too large and incompatible with the neighborhood. Also concerned that the view corridor is too small.
5. Tom Dunlop, Member, Sea Ledge Property Owners Association, previously submitted a letter to the Commission and asked that a condition of approval be added for the owner to participate in the cost of maintenance of the drain pipe that drains this property, among others, and traverses the Sea Ledge Lane community.

With no one else wishing to speak, the public hearing was closed at 4:48 P.M.

Mr. Amerikaner stated that the applicant was in the same situation as the Sea Ledge Lane, with water traversing the property. If there were a drainage assessment district that all participated in, then the applicant would participate. The solution must be comprehensive and not one parcel at a time.

Staff answered additional Planning Commission questions about whether the City can facilitate creating a drainage benefit district by stating that the effort must come from the neighbors.

Commissioner's comments:

1. The Commission appreciated Mr. Silva's cooperation in responding to their prior comments by reducing the size of the house and providing the view corridor.
2. One commissioner is opposed to FAR guidelines rather than strict limits for large lots and could support the project if the applicant worked with the Single Family Design Review board to reduce the size to no more than 100% of the guideline FAR.
3. One commissioner mentioned that the subdivision has provided an easement where the public can park and view the ocean along Cliff Drive; that view area has been subtracted from the lot size and results in the FAR number being higher than if all the property were included in the calculation.
4. One Commissioner challenged the applicant to make the project sustainable.

Mike Gones, Civil Engineer, answered additional Planning Commission questions about the subdivision and stated that the Marina Drive cul-de-sac already existed; the City took additional land to make it wider. It was required that the developer include parking spaces on Cliff Drive for a public viewing area.

Scott Vincent, Assistant City Attorney, clarified the differences between a guideline and an ordinance requirement to help the Commission understand the FAR Guidelines.

Jaime Limón, Senior Planner, answered the Commission's questions about the view issue and felt that the applicant has made an effort to create a view corridor; and noted staff decided not to impose a specific height limit on landscaping in the corridor.

MOTION: Jostes/Barlett

Assigned Resolution No. 017-08

Approve the Coastal Development Permit, making the findings in the Staff Report, and subject to the Conditions of Approval.

This motion carried by the following vote:

Ayes: 4 Noes: 1 (Thompson) Abstain: 0 Absent: 2 (Jacobs, White)

Chair Myers announced the ten calendar day appeal period.

III. NEW ITEMS:

Commissioners Jacob and White returned to the dais.

ACTUAL TIME: 1:07 P.M.

A. APPLICATION OF RICHARD REDMOND, ARCHITECT FOR JAMES DOUB AND TOM P. ZIEGLER TRUST, 528 ANACAPA STREET, 031-201-029, C-M, COMMERCIAL-MANUFACTURING ZONE, GENERAL PLAN DESIGNATION: OFFICE/MAJOR PUBLIC INSTITUTIONAL (MST2006-00748)

The proposed project involves the demolition of an existing 3,300 square-foot commercial building and the construction of a three- and partial fourth story, mixed-use building containing seven commercial condominiums totaling 4,135 net square feet and seven residential condominiums. The residential unit mix would be one three-bedroom unit, four two-bedroom units, and two one-bedroom unit. The units would range in size from 940 net square feet to 2,449 net square feet. Nineteen parking spaces are provided including eleven (one van accessible space) provided in an open surface parking lot and eight covered parking spaces. The eight (one van accessible space) covered parking spaces are assigned residential parking spaces including five within individual garages along the east side of the building. Ingress to the building would be provided on Anacapa Street and egress would be via Cota Street.

The discretionary applications required for this project are:

1. A Tentative Subdivision Map for a one-lot subdivision to create seven (7) commercial condominiums and seven (7) residential condominium units (SBMC§27.07 and 27.13); and
2. A Development Plan Approval to allow 4,135 net square feet of non-residential use (SBMC §28.87.300).